

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JANE DOE,

Plaintiff,

v.

No. 1:21-CV-00709-GBW-SCY

THE NEW MEXICO BOARD OF
BAR EXAMINERS, and THE NATIONAL
CONFERENCE OF BAR EXAMINERS, *et al.*,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART
MOTIONS TO SEAL**

This matter is before the Court on Plaintiff's "Motion to Seal, Restrict, or Otherwise Limit Inspection of Motion for Leave to Proceed in Forma Pauperis and to Waive Service of Process Fees Filed," filed October 8, 2021. Doc. 41. At the same time as filing her motion to seal (which itself is filed under seal), Plaintiff filed her Motion for Leave to Proceed In Forma Pauperis and Financial Affidavit under seal. Docs. 41, 42, 43. In her motion to seal, Plaintiff requests to "remain anonymous in all documents filed with or in this Court because the subject matter of the case regards currently concealed highly sensitive and medically confidential records protected under federal laws, per the American with Disabilities Act (ADA), Health Insurance Portability and Accountability Act of 1996 (HIIPA) and 42 U.S.C. § 121011 12102." Doc. 31 at 2.

Because Plaintiff's motion and financial affidavit include details about her income and assets, the Court find that it proper to seal such documents from public view. *See JetAway Aviation, LLC v. Bd. of Cnty. Com'rs of Cnty. of Montrose*, 754 F.3d 824, 826 (10th Cir. 2014) ("To overcome this presumption against sealing, the party seeking to seal records must

articulate a real and substantial interest that justifies depriving the public of access to the records that inform our decision-making process.” (internal quotation marks and citation omitted)). As such, the Court grants Plaintiff’s motion in part and shall seal Docs. 42 and 43. However, Plaintiff also filed her motion to seal under seal. *See* Doc. 41. She provides no information why that motion, which contains no private details, needs to be sealed. Accordingly, the Court will unseal Doc. 41.

IT IS SO ORDERED.



HONORABLE STEVEN C. YARBROUGH
United States Magistrate Judge